

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
CIVIL ACTION - LAW**

AAMCO TRANSMISSIONS, INC.

Plaintiff,

v.

FRANK WIRTH

and

AUTO CENTER, LLC

Defendants.

No. 2:11-cv-04250-RB

**FILED**

OCT 05 2011

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**STIPULATED PERMANENT ORDER OF INJUNCTION**

The parties, by and through their undersigned counsel, hereby stipulate and agree that the following be entered as a permanent Order of this Honorable Court and that it shall serve as a full and final disposition of Counts I through III of Plaintiff's Complaint (ecf doc. no. 1). Provided the following is made a permanent Order, and except as provided by such Order, Plaintiff waives all equitable and monetary claims set forth in Counts I through III of Plaintiff's Complaint.

Defendants, and anyone else who may be bound under F.R.C.P. 65(d)(2), are enjoined as follows:

1) Effective December 2, 2011, Defendants shall not engage in, directly or indirectly through any third person, <sup>an</sup> ~~the~~ automotive repair business within ten (10) miles of 2310 Walnut Street, Harrisburg, PA, or within ten (10) miles of any other AAMCO Transmission Center until December 2, 2013. Further, Defendants shall, until December 2, 2013, refrain from advertising, in any way or manner, that any business subject to the terms of this Order performs automotive repairs.

2) Defendants shall not use or display, in any manner, including without limitation on or in any signs, stationery, letterheads, forms, printed matter or advertising, the proprietary marks "AAMCO", "AAMCO Transmissions" or similar names or marks.

3) Defendants shall not advertise or otherwise hold themselves out to the public, directly or indirectly, as an authorized franchisee of Plaintiff or as being in any way sponsored by or connected or associated with Plaintiff.

4) Defendants shall not do anything to cause potential purchasers of repair services to believe that any services or repairs performed by Defendants, or any business with which either of them are associated, originate with Plaintiff or are endorsed or sponsored by Plaintiff; and

5) Defendants shall not interfere with Plaintiff's right to ownership and control of the telephone account for the telephone number (717) 901-0300 or other AAMCO advertised telephone number.

ATTORNEY FOR PLAINTIFF  
AAMCO TRANSMISSIONS, INC.

ATTORNEY FOR DEFENDANTS  
FRANK WIRTH and AUTO CENTER, LLC

BY 


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ORDER

AND NOW, this 5<sup>th</sup> day of OCTOBER, 2011, the Stipulation of Injunction set forth above is APPROVED and entered as an ORDER of the Court.

  
The Hon. RONALD L. BUCKWALTER, S.J.